IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 9113 of 2005

Between:

1 Convention of Baptist Churches of the Northern Circars, Regn.No. 16/48-49, Regd. Office at Dr.No. 5-262, Vivekananda Nagar, Old Dairy Farm (P.O), Visakhapatnam, Rep. by its President V.V.K. Sharma S/o. Late Kameswara Sharma, Christian, R/o. Visakhapatnam.
2 Pastor G.John PEter S/o. Peter, Secretary, Convention of Baptist Churches of the Northern Circars, Adarshnagar, Old Dairy Farm Post, Visakhapatnam.

..... PETITIONERS

AND

1 The Inspector General & Commissioner of Stamps & Registrations, Ramakrishna Complex, Golconda Chourasta, Hyderabad.
2 The District Registrar of Assurances, Registrar's Office, Kakinada, E.G. District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ Order, or direction, more particularly one in the nature of the writ of Mandamus declaring the inaction on the part of the Respondents in recording the names of legally elected Office Bearers of Convention of Baptist Churches of the Northern Circars Registration No. 16/48--49 and Trust Association of CBCNC Regn.No. 12/1960 who were elected under the supervision of Advocate Commissioner appointed in IA No. 25/2004 in OP No. 13/2004 on the file of the IV Addl. District Judge Court, Visakhapatnam, is highly arbitrary, unjust and violative of principles of Natural justice and also amounts to failure of discharge of their statutory duty under the provisions of Societies Registration Act, 1860 and consequently direct the respondents to record and notify the names of Office bearers in their Office Records.

Counsel for the Petitioner:MRP.RAJASEKHAR

Counsel for the Respondent Nos.1 and 2: GP FOR STAMPS AND REGISTRATION/GP for Revenue.

The Court, at the stage of admission, made the following :

ORDER:

This writ petition is filed seeking a writ of Mandamus declaring the inaction on the part of the respondents in recording the list of office bearers of the first petitioner and registering the same on the basis of the representations made by the petitioners on 31.03.2004 and 23.09.2004, as arbitrary and illegal.

The case of the petitioners is that the first petitioner was formed by members of the Canadian Baptist missionaries in the year 1874. It conducted election of its office bearers under the supervision of the Advocate/Commissioner appointed by the learned IV Additional District Judge, Visakhapatnam in I.A.No.25 of 2004 in O.P.No.13 of 2004 and submitted an application on 31.03.2004 to the second respondent for recording the list of office bearers as per Section 4 of the Societies Registration Act, 1860 and also another application on 23.09.2004 for registering the list of office bearers. However, the respondents failed to take any action. Hence this writ petition.

Heard learned counsel for the petitioners and the learned Government Pleader for Revenue appearing for the respondents.

The learned Government Pleader states that since the applications made by the petitioners are pending, the same will be considered by the respondents in accordance with law.

Accordingly, without expressing any opinion on merits, the writ petition is disposed of with a direction to the respondents to consider the representations of the petitioners dated 31.03.2004 as well as 23.09.2004 and to take necessary action in accordance with law within a period of four weeks from the date of receipt of this order. It is made clear that in case there is any objection for the registration sought

by the petitioners, the respondents shall communicate the same to the petitioners within a period of two weeks from the date of receipt of this order.

The writ petition is accordingly disposed of. No costs.

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25.04.2005

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To

1 The Inspector General & Commissioner of Stamps & Registrations, Ramakrishna Complex,
Golconda Chourasta, Hyderabad.
2 The District Registrar of Assurances, Registrar's Office, Kakinada, E.G. District.

3 Two C.CS to the G.P. for Stamps and Registration, and Two C.Cs to the G.P., for Revenue, High Court Buildings, Hyderabad (OUT).

4 2 CD copies

5 1 CC to MRRAJASEKHAR.